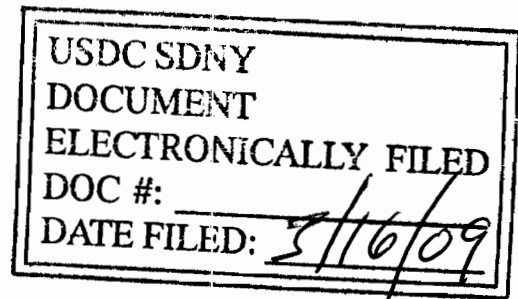


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
REENA SHEELA CUNNINGHAM,

Plaintiff,

-against-

SEAN McCLUSKEY, et al.,

Defendants.
-----X

07 Civ. 6870 (GEL) (DFE)

ORDER

GERARD E. LYNCH, District Judge:

Plaintiff has submitted papers, styled as "Plaintiff's Reply," objecting to defendants' request for a stay of proceedings in this case pending resolution by the Court of Appeals of plaintiff's husband's appeal of the dismissal of his parallel lawsuit. The request for a stay of proceedings was granted by Order of March 9, 2009, and plaintiff was reminded of this stay by Order of March 11, 2009. It appears that plaintiff may have been unaware of these Orders in filing this "Reply," which was received by the Pro Se Office on March 13. In any event, plaintiff's raises no considerations that cause the Court to vacate the grant of the stay. Plaintiff's husband's case concerns the same incident and the same defendants as this matter, and it is in the interest of judicial economy to reduce duplication of time and effort on behalf of the Court and all parties, that this matter be stayed pending the Second Circuit's proceedings.

Plaintiff also requests a hearing on the admissibility of certain evidence against plaintiff's husband, which plaintiff contends was unlawfully obtained, that defendants may seek to use in support of a motion for summary judgment or at an eventual jury trial. There is no reason this issue needs to be addressed at this time and can be more properly addressed following the end of the stay.

Finally, plaintiff continues to rehash discovery disputes which have been thoroughly disposed of by Magistrate Judge Eaton, whose rulings plaintiffs has already twice unsuccessfully challenged before this Court. This Court again reiterates that no basis has been shown for reversing any of Magistrate Judge Eaton's discovery rulings. Plaintiff is also again reminded

that discovery in this matter is now closed and this Court will proceed to the merits of this case following the Court of Appeals' decision in Cunningham v. USMS, No. 07-4006-AS.

SO ORDERED.

Dated: New York, New York
March 16, 2009



GERARD E. LYNCH
United States District Judge

Copy to:
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